

Notice of Allowability

Application No.

10/532,532

Examiner

Theresa Trieu

Applicant(s)

SCHOLZ ET AL.

Art Unit

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview on Aug. 18, 2006 and the amendment filed on July 25, 2006.
2. ☒ The allowed claim(s) is/are 12-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

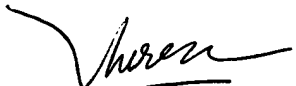
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date Aug. 18, 2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Theresa Trieu
Primary Examiner
Art Unit: 3748

EXAMINER'S AMENDMENT

This Office Action is responsive to the applicant's amendment filed on July 25, 2006.

Claims 12-18 are pending in this application.

Applicant's cooperation in correcting the informalities in the drawing and specification are appreciated.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James B. Conte (Reg. No. 54,661) on August 18, 2006. During telephone conversation with Mr. Conte, an agreement was reached to amend Claims 13-18.

The application has been amended as follows:

Claims

- Claim 13: line 1, "to claim 1" has been changed to -- *to claim 12*--.
- Claim 14: line 1, "to claim 1" has been changed to -- *to claim 12*--.
- Claim 15: line 1, "to claim 1" has been changed to -- *to claim 12*--.
- Claim 16: line 1, "to claim 1" has been changed to -- *to claim 15*--.
- Claim 17: line 1, "to claim 1" has been changed to -- *to claim 12*--.
- Claim 18: line 1, "to claim 1" has been changed to -- *to claim 12*--.

The amendment to the claims has been entered to correct a typographical error.

Allowable Subject Matter

Claims 12-18 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art fails to disclose or render obvious the claimed combination including: two radial walls being configured in one piece with each other and with a peripheral wall; one of the radial walls being a radial outer wall and the other an intermediate wall which on one side thereof defines together with the radial outer wall a gear chamber receiving the toothed gears and on the other side thereof defines a working chamber receiving the rotors; the intermediate wall has axial through openings for accommodating shaft bearings having a width larger than that of the axial bearing bore in the radial outer wall; a side wall of the housing has an opening sealed by a removable cover; the housing constituting a monobloc base body that has an opening at an end face facing the housing cover, the opening having a width that is the largest among said axial passages and bore holes located inside the housing, making them accessible for machining through this opening in one set-up of the base body.

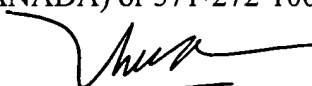
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa Trieu whose telephone number is 571-272-4868. The examiner can normally be reached on Monday-Friday 8:30am- 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on 571-272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT
August 18, 2006



Theresa Trieu
Primary Examiner
Art Unit 3748